THE HONOURABLE SRI JUSTICE N.V.RAMANA

Writ Petition No.23873 of 2006

Dated: 17th November, 2006

Between:

M.Gangadhar A.D.C S/o Manoj,
APSRTC,; Kamareddy depot,
Nizamabad District. **…..PETITIONER**

AND

The Depot Manager, APSRTC,
Kamareddy depot, Nizamabad district. **….RESPONDENTS**

THE HONOURABLE SRI JUSTICE
N.V.RAMANA

W.P.No.23873 of 2006

ORDER:

This writ petition is filed seeking to declare the suspension order No.P3/209(1)/06-KMR dated 22-9-2006 of the respondent as illegal and arbitrary. By the said order the respondent kept the petitioner under suspension pending enquiry on the ground that the petitioner has consumed alcohol while on duty which is a serious mis-conduct.

Petitioner is A.D.C in the respondent Corporation. He states that he never consumed alcohol on 21-9-2006 while on duty, and that on duty security guard intentionally lodged a complaint and gave false report that the petitioner fell near the gate as he has consumed alcohol. He further states that based on the report of the security guard and the medical officer, the respondent issued a charge sheet dated 22-9-2006 and kept him under suspension pending enquiry. He states that he submitted his explanation on 28-9-2006 to the charge-sheet dated 22-9-2006, but the respondent has not considered and no action is taken till today.

Heard the learned counsel for the petitioner as also the learned Standing Counsel for the respondent Corporation.

Inasmuch as the petitioner submitted his explanation on 28-9-2006 to the charge-sheet dated 22-9-2006 and the same is not considered by the respondent till today, I deem it appropriate to dispose of the writ petition with the direction as under:

The respondent is directed to consider and dispose of the explanation, dated 28-9-2006, of the petitioner, and pass appropriate orders thereon, in accordance with law, expeditiously.

Accordingly, the writ petition is disposed of. No costs.

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(N.V. RAMANA, J.)

Date:17th November, 2006.

Grk